

Commissioner for Patents Washington, DC 20231 www.uspto.gov

APPLICATION NUMBER

FILING OR 371(C) DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

09/804,299

**MANELLI DENISON & SELTER** 

2000 M STREET NW SUITE 700

WASHINGTON, DC 20036-3307

20736

03/13/2001

Shigenabu Sekine

46-191

CONFIRMATION NO. 9283
ABANDONMENT/TERMINATION

LETTER

\*OC000000009751928\*

Date Mailed: 04/02/2003

# NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 04/16/2001.

• No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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MAY 2 3 2003



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 4619

Group Art Unit: 1742

**Examiner: Not Assigned** 

In re patent application of

SEKINE et al.

Serial No. 09/804,299

Filed: March 13, 2001

For:

METAL POWDER WITH NANO-COMPOSITE STRUCTURE AND ITS PRODUCTION

METHOD USING A SELF-ASSEMBLING TECHNIQUE

### TRANSMITTAL OF RESPONSE/PETITION

**Attention: Office of Petitions** Hon. Commissioner of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Response in the above-captioned application. The fee has been calculated as shown below. (Small entity fees indicated in parentheses.)

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
₹ ·	Claims Remaining After Amendment		Highest Number Previously Paid For	Extra Claims	Rate	Fee
Total Claims	64	-	64	0	18.00	0
(Small Entity)					(9.00)	
Independent claims	8	-	8	0	84.00	0
(Small Entity)					(42.00)	
Multiple Dependent	0	-	0	0	280.00	0
Petition Fee-Rule 1.137(b)					\$1,300	\$1,300.00
Extension of Time	One Month		Two Months	Three Months	•	
Fee	\$110		\$410	\$930		0
(Small Entity)	(\$55)		(\$205)	(\$465)		0
Total						\$1,300.00

The above fees are believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0687 under the above Attorney Docket Number for which purpose this paper is submitted in duplicate. CUSTOMER NO. 20736

Respectfully submitted.

Date: May 20, 2003

Paul E. White, Jr.

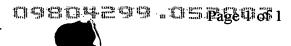
Reg. No. 32,011 Tel. No. 202-261-1050 Fax No. 202-887-0336

Manelli Denison & Selter, PLLC 2000 M Street, N.W. Suite 700 Washington, D.C. 20036-3307 202.261.1000

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### JNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Shigenabu Sekine

46-191

20736 FARKAS & MANELLI 2000 M STREET NW SUITE 700 WASHINGTON, DC 200363307 CONFIRMATION NO. 9283
FORMALITIES LETTER
\*OC000000005971239\*

Date Mailed: 04/16/2001

#### NOTICE TO FILE CORRECTED APPLICATION PAPERS

### Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

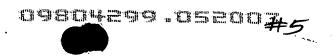
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## THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

SEKINE et al.

Group Art Unit: 1742

Application No.:09/804,299

Examiner: Not Yet Assigned

Filed: March 13, 2001

For:

METAL POWDER WITH NANO-COMPOSITE STRUCTURE

AND ITS PRODUCTION METHOD USING A

SELF-ASSEMBLING TECHNIQUE

May 20, 2003

### **RESPONSE**

Hon. Commissioner of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22313-1450

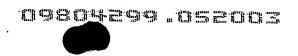
Sir:

In response to the Notice to File Corrected Application Papers, dated April 16, 2001 (copy attached hereto), the applicant submits substitute drawings, Figures 8-11, having appropriate margins.

Of the Figures 1-11 filed with the subject application, two have been found to have inappropriate margins, namely Figures 8 and 9, and thus substitute drawings for these figures are attached hereto. The top margins of Figures 10 and 11 are exactly one (1) inch, so to be safe, substitute drawings for Figures 10 and 11 are also attached hereto. The margins of substitute drawings for Figures 8-11 are proper under 37 CFR 1.84.

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MAY 2 3 2003



The applicant submits that the above is a full and complete response to the Notice. The applicant respectfully requests entry of this response and favorable consideration of this application.

Respectfully submitted,

MANELLI DENISON & SELTER, PLLC

Paul E. White, Jr.

Reg. No. 32,011

Tel. No.: (202) 261-1050 Fax No.: (202) 887-0336

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